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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XC507

Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish of the Gulf of Alaska; Central Gulf of Alaska Rockfish Program

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notification of standard prices and fee percentage.

SUMMARY: NMFS publishes the standard ex-vessel prices and fee percentage for cost recovery under the Central Gulf of Alaska Rockfish Program. This action is intended to provide participants in a rockfish cooperative with the standard prices and fee percentage for the 2012 fishing year, which was authorized from May 1 through November 15. The fee percentage is 1.4 percent. The fee liability payments were due from each rockfish cooperative by February 15, 2013.

DATES: Effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Gwen Herrewig, 907-586-7228.

SUPPLEMENTARY INFORMATION:

Background

The rockfish fisheries are conducted in Federal waters near Kodiak, AK, by trawl and longline vessels. Regulations implementing the Central Gulf of Alaska (GOA) Rockfish Program (Rockfish Program) are set forth at 50 CFR part 679. Exclusive harvesting privileges are

allocated under the Rockfish Program for rockfish primary and secondary species. The rockfish primary species are northern rockfish, Pacific ocean perch, and pelagic shelf rockfish. The rockfish secondary species include Pacific cod, rougheye rockfish, shorttraker rockfish, sablefish, and thornyhead rockfish. Rockfish cooperatives began fishing under the Rockfish Program on May 1, 2012.

The Rockfish Program is a type of limited access privilege program established under the provisions of section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (MSA). Section 303A requires that NMFS collect fees for limited access programs to recover the actual costs directly related to management, data collection and analysis, and enforcement activities. Section 304(d)(2) of the MSA requires that NMFS collect fees for the Rockfish Program equal to the actual costs directly related to management, enforcement and data collection (management costs). Section 304(d)(2) of the MSA also limits the cost recovery fee so that it may not exceed 3 percent of the ex-vessel value of the fish harvested under the Rockfish Program.

Standard Prices

NMFS calculates cost recovery fees based on standard ex-vessel value price, rather than actual price data provided by each rockfish cooperative quota (CQ) holder. Use of a standard ex-vessel price is allowed under sections 303A and 304(d)(2) of the MSA. NMFS generates a standard ex-vessel price for each rockfish primary and secondary species on a monthly basis to determine the average price paid per pound for all shoreside processors receiving rockfish primary and secondary species CQ.

Regulations at § 679.85(b)(2) require the Regional Administrator to publish rockfish standard ex-vessel values during the first quarter of each calendar year. The standard prices are

described in U.S. dollars per pound for rockfish primary and secondary species CQ landings made during the previous year.

Fee Percentage

NMFS assesses a fee on the standard ex-vessel value of rockfish primary species and rockfish secondary species CQ harvested by rockfish cooperatives in the Central GOA and waters adjacent to the Central GOA when rockfish primary species caught by a cooperative is deducted from the Federal total allowable catch. The rockfish entry level longline fishery and opt-out vessels are not subject to cost recovery fees. Specific details on the Rockfish Program's cost recovery provision may be found in the implementing regulations set forth at § 679.85.

NMFS informs each rockfish cooperative of the fee percentage applied to the previous year's landings and the total amount due through a letter. Fees are due on February 15 of each year. Failure to pay on time would result in the permit holder's QS becoming non-transferable and the person would be ineligible to receive any additional QS by transfer. In addition, cooperative members would not receive any rockfish CQ the following year until full payment of the fee liability is received by NMFS.

NMFS calculates and publishes in the Federal Register the fee percentage in the first quarter of each year according to the factors and methodology described in Federal regulations at § 679.85(c)(2). NMFS determines the fee percentage that applies to landings made in the previous year by dividing the total actual costs during the previous year by the total value of the rockfish primary species and rockfish secondary species for all rockfish cooperatives made during the previous year. NMFS captures the actual cost of managing the fishery through an established accounting system that allows staff to track labor, travel, and procurement. Fee collections for any given year may be less than, or greater than, the actual costs and fishery value

for that year, because, by regulation, the fee percentage is established in the first quarter of the calendar year based on the fishery value and the costs of the previous calendar year. The rockfish fee percentage amount must not exceed 3.0 percent pursuant to 16 U.S.C.

1854(d)(2)(B). This is the first year of fee collection under the Rockfish Program.

Using the fee percentage formula described above, the estimated percentage of costs to value for the 2012 calendar year is 1.4 percent of the standard ex-vessel value.

Table 1. Standard Ex-Vessel Prices by Species for the 2012 Rockfish Program Season in Kodiak, Alaska

Species	Period ending	Standard ex-vessel price per pound
Pelagic shelf rockfish*	May 31	0.26
	June 30.....	0.27
	July 31.....	0.27
	August 31.....	0.26
	September 30.....	0.26
	October 31.....	0.27
	November 30.....	0.26
Northern rockfish	May 31	0.26
	June 30.....	0.27
	July 31.....	0.27
	August 31.....	0.27
	September 30.....	0.27
	October 31.....	0.27
	November 30.....	0.27
Pacific cod	May 31	0.30
	June 30.....	0.28
	July 31.....	0.35
	August 31.....	0.31
	September 30.....	0.28
	October 31.....	0.28
	November 30.....	0.27
Pacific ocean perch	May 31	0.26
	June 30.....	0.26
	July 31.....	0.27
	August 31.....	0.27
	September 30.....	0.27

	October 31.....	0.27
	November 30.....	0.27
Rougheye rockfish	May 31	0.27
	June 30.....	0.19
	July 31.....	0.14
	August 31.....	0.15
	September 30.....	0.01
	October 31.....	0.15
	November 30.....	0.30
Sablefish	May 31	4.16
	June 30.....	3.63
	July 31.....	2.25
	August 31.....	2.52
	September 30.....	2.61
	October 31.....	2.20
	November 30.....	2.19
Shortraker rockfish	May 31	0.26
	June 30.....	0.26
	July 31.....	0.23
	August 31.....	0.25
	September 30.....	0.26**
	October 31.....	0.30
	November 30.....	0.27
Thornyhead rockfish	May 31	0.59
	June 30.....	0.48
	July 31.....	0.29
	August 31.....	0.16
	September 30.....	0.20
	October 31.....	0.60
	November 30.....	0.11

*The pelagic shelf rockfish (PSR) species group has been changed to “dusky rockfish” in some NMFS publications, such as the 2012 and 2013 groundfish harvest specifications for the GOA (77 FR 10669, February 23, 2012). The North Pacific Fishery Management Council recommended the removal of widow and yellowtail rockfish from the PSR species group at its October 2011 meeting, leaving the single species, dusky rockfish. NMFS intends to propose GOA fishery management plan and regulatory amendments to dissolve the PSR species group and

substitute a description of the dusky rockfish target fishery, and revise the description of the “other rockfish” fishery in the GOA fishery management plan to include widow and yellowtail rockfish.

**NMFS uses the average annual price when no landings are reported.

Authority: 16 U.S.C. 773 et seq.; 1801 et seq.; 3631 et seq.; Pub. L. 108-447.

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